

10- R-0193

Entered - 12/16/09 - sb
CL - 09L1023 - Angelena Kelly

Claim of: Glorietta Glover
2017 Ficus Court
Stone Mountain, GA 30083

For damages alleged to have been sustained as a result of driving over a pothole on September 21, 2009 at East Ponce De Leon Avenue and on November 4, 2009 at Jimmy Carter Boulevard near Highway 78.

THIS ADVERSED REPORT IS APPROVED

BY: _____


JERRY L. DELOACH
DEPUTY CITY ATTORNEY

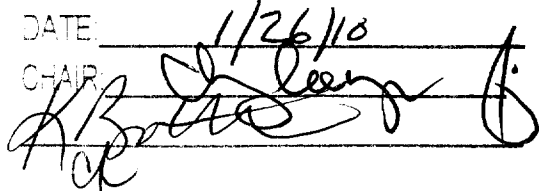
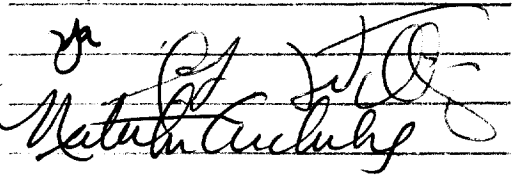
ADVERSE REPORT

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE: _____

CHAIR: _____

FEB 01 2010

ADVERSED BY
CITY COUNCIL

FEB 01 2010



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6030
FAX (404) 658-6273

February 9, 2010

Ms. Glorietta Glover
2017 Ficus Court
Stone Mountain Georgia 30083

10-R-0193

Dear Ms. Glover

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on February 1, 2010. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division at (404) 330-6400.**

Sincerely,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 09L1023

Date: December 24, 2009

Claimant /Victim: Glorietta Glover
BY:(Atty)(Ins. Co.) _____
Address: 2017 Ficus Court, Stone Mountain, GA 30083
Subrogation: _____ Claim for Property damage \$ 330.00 Bodily Injury \$ _____
Date of Notice: 12/14/09 Method: Written, proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence: 9/21/09 and 11/4/09 Place: East Ponce de Leon Avenue and Jimmy Carter Boulevard
Department: _____ Bureau: _____ Office: _____
Employee involved: _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges that her vehicle was damaged on two separate dates and locations when she drove over potholes. The investigation determined that both of the incidents occurred outside of the City of Atlanta limits. The claimant has been notified to pursue her claim with the proper municipality.

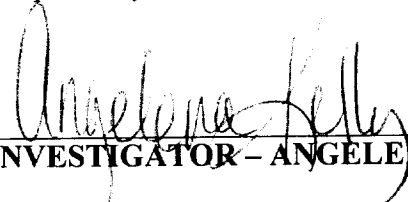
INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report _____ Other _____
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

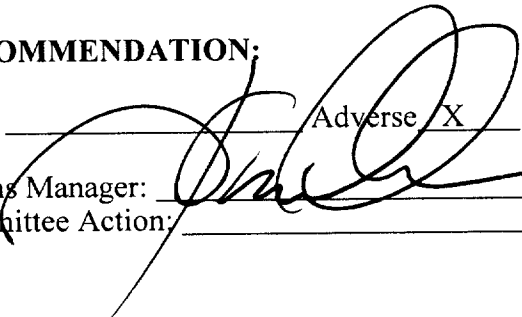
BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial _____
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____
City not involved X Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - ANGELENA KELLY

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: General Fund _____ Water & Sewer _____ Aviation _____
Claims Manager:  Concur/date _____
Committee Action: _____ Council Action _____

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, SW
Atlanta, Georgia 30303

RECEIVED
OFFICE OF
MUNICIPAL CLERK
FOR DAMAGES
2009 DEC 14 PM 4:54
Date: 12-01-09

Dear Municipal Clerk:

ENTERED - 12-16-09 - SB
09L1023 - A. KELLY

This is to notify the City of Atlanta that I have suffered damages in the amount of \$ 330.00 property and/or \$ _____ bodily injury for which I contend the City is liable.

- 9-21-2009 9 10:30am a
1. Date of incident: 11-04-2009 2. Time of incident: 2:30pm. Police called: No
 4. Location of incident (including street address): 9-21-09 E. Ponce De Leon headed hwy 78 ramp
11-04-209 Jimmy Carter Blvd by
 5. Name of your insurance company: USAA Policy No. 16644729
 6. State what and how incident occurred: on 9-21-09 it was raining didn't see pot hole because of the puddle's filled with water.
on 11-04-09 Husband was driving on Jimmy Carter &
it also was raining. (Didn't get a picture of them do to very busy street & Hwy-)
 7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!
 8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle.
Your vehicle: I30 06 YGY1934 Glorietta Glover
(Make) (Year) (Tag Number) (Driver's Name)
City vehicle: _____
(Make) (City Driver's Name) (Department/Bureau)
 9. Witness: USAA & Auto motion
 10. The acknowledgement of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).
 11. Claims must be received within 6 months from the date of the event.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Glorietta Glover
Signature of Claimant

Glorietta Glover
(Print Claimant's Name)

2017 Ficus Court
(Address)

Stone Mountain, Ga 30083
(City, State and Zip Code)

(757) 2169669
(Work Number) (Home Number)

11-04-09 corner of Wachovia

9-21-09 E. Ponce De Leon pass the bus stop near the exit for hwy 78 E &

Exit West Park place, & (West park place Blvd is a lot of pot holes-) toward Target

10- R -0193

RCS# 42
2/01/10
2:07 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

B Smith	Y Archibong	Y Moore	Y Bond
NV Hall	Y Wan	Y Martin	Y Watson
Y Young	Y Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

CONSENT I

		02-01-10
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 10-O-0118	36. 10-R-0182	
2. 10-O-0119	37. 10-R-0183	
3. 10-O-0120	38. 10-R-0184	
4. 10-O-0121	39. 10-R-0185	
5. 10-O-0122	40. 10-R-0186	
6. 10-O-0123	41. 10-R-0187	
7. 10-O-0126	42. 10-R-0188	
8. 10-O-0127	43. 10-R-0189	
9. 10-O-0128	44. 10-R-0190	
10. 10-O-0129	45. 10-R-0191	
11. 10-O-0220	46. 10-R-0192	
12. 10-O-0221	47. 10-R-0193	
13. 10-O-0057	48. 10-R-0194	
14. 10-O-0135	49. 10-R-0195	
15. 10-R-0134	50. 10-R-0196	
16. 10-R-0162	51. 10-R-0197	
17. 10-R-0227	52. 10-R-0198	
19. 10-R-0164	53. 10-R-0199	
20. 10-R-0165	54. 10-R-0200	
21. 10-R-0166	55. 10-R-0201	
22. 10-R-0169	56. 10-R-0202	
23. 10-R-0170	57. 10-R-0203	
24. 10-R-0171	58. 10-R-0204	
25. 10-R-0222	59. 10-R-0205	
26. 10-R-0228		
27. 10-R-0173		
28. 10-R-0174		
29. 10-R-0175		
30. 10-R-0176		
31. 10-R-0177		
32. 10-R-0178		
33. 10-R-0179		
34. 10-R-0180		
35. 10-R-0181		